

**University of Washington Housestaff Association (UWHA) Unionization  
Questions & Answers  
October 13, 2016**

**Background:** In fall 2014, University of Washington medical and dental residents voted for the UWHA to represent them as a collective bargaining unit. In October of 2014, the Public Employment Relations Commission (PERC) certified UWHA as a labor union and exclusive bargaining representative for the majority of residents and fellows in the School of Medicine (SOM) and in the School of Dentistry (SOD), henceforth referred to as Residents. This is the first time UW medical and dental trainees have bargained collectively.

**DEFINITIONS & PROCESS**

**1. Q: Who is included in the collective bargaining unit?**

**A:** UW and UWHA agreed that the collective bargaining unit includes all residents and fellows in ACGME-accredited programs; dental residents; research residents in Otolaryngology, General Surgery, and Urology; and fellows in Anesthesiology-Emergency Medicine Critical Care and Gynecologic Oncology. Fellows in other non-ACGME accredited programs, anyone with a faculty appointment and all other employees are excluded from the collective bargaining unit.

**2. Q: Who is on the UW GME Negotiations Team?**

**A:** Otto Klein, JD, Lead Negotiator  
Andrew Berg, JD, Assistant Director, UW Labor Relations  
Virginia Broudy, MD, Professor and Harborview Service Chief  
Thomas Dodson, DDS, Associate Dean, Hospitals Affairs, Professor, Chair, Maxillofacial Surgery  
Cindy Hamra, JD, MA, Assistant Dean, Operations & Administration, Graduate Medical Education  
Shelley Kostrinsky, Assistant Vice Provost for Academic Personnel  
Amity Neumeister, MBA, Assistant Dean, Accreditation, Graduate Medical Education  
Richard Shugerman, MD, Professor of Pediatrics (former Program Director, Pediatrics)  
Thomas Staiger, MD, Associate Professor and Medical Director, UW Medical Center  
Barbara Van Ess, Director of Personnel Policy, UWSOM Dean's Office  
Nicholas Vedder, MD, Chief of Plastic Surgery; Vice Chair, Department of Surgery (former Program Director, Plastic Surgery)

**3. Q: Who is on the UWHA Union Negotiations Team?**

**A:** Given that residents are by, definition, itinerate, there has been change in the leadership structure of the UWHA. The new executive leadership team now consists of the following:  
Nick Mark, MD, Fellow, Pulmonary/Critical Care (President)  
Jacqueline Alvarez, MD, Diagnostic Radiology (Vice President)  
Trevor Gessel, MD, Physical Medicine & Rehabilitation (Treasurer)  
Ben Wolpaw, MD, Internal Medicine (Secretary)  
Marlee Hahn, MD, Emergency Medicine (Social Chair)  
Edo Bedzra, MD, Cardiothoracic Surgery  
Graham Strub, MD, Otolaryngology

**4. Q. Has the relationship between the UW and the UWHA changed?**

**A.** When Residents voted to form a union, it guaranteed UWHA the legal right to participate in the collective bargaining process. Since that time, UW has diligently met and worked with UWHA to address its concerns. UW remains committed above all else to providing world-class training to its Residents. A top priority for the Graduate Medical Education (GME) Office is to ensure a high quality and innovative learning environment for our trainees.

Through the bargaining process, the UW has worked hard to offer proposals that would improve many aspects of Residents' lives in the areas of stipends/salaries, moonlighting, compensation during research years, leave, professional development and licensing, childcare, stipends for home call and transportation, and grievance procedures, among others. In addition to the progress of negotiating the collective bargaining agreement (CBA) described here, UW has also engaged UWHA in discussions regarding a number of policies and other issues that might impact Residents.

**5. Q: How long will it take to finalize a contract?**

**A:** First-time contract negotiations can be a slow, challenging process, as an entirely new contract (a.k.a. the CBA) needs to be created. The UW remains engaged and committed to reaching a fair and equitable agreement.

**6. Q: What is the current state of the UW-UWHA negotiations?**

**A:** We were hopeful that negotiations could have been completed by the summer of 2016, but, given that this is our first negotiations, and that there has been change-over of the UWHA leadership, the CBA is taking a longer time. Still, the parties have made significant progress toward reaching a final agreement. We remain hopeful that the first CBA will be finalized during the 2016-2017 academic year.

**7. Q: What rules and policies apply before the first CBA is negotiated?**

**A:** We continue to be in a "stasis" period, which started from the time of the Public Employment Relations Commission (PERC) certification to the time the CBA is negotiated and ratified. During this time, we must maintain the *status quo*, meaning the terms and conditions of the existing Residency & Fellowship Position Appointment (RFPA) agreement remain in effect and no changes can be made to housestaff wages, hours, or working conditions without bargaining with the union. Existing processes – such as the process for setting parking rates – remain in place, but they cannot be changed or replaced with different processes during this period.

**8. Q: What counts as a "working condition"?**

**A:** Examples include education/interview days off, educational funds, travel funds, books, access to sleep rooms, meals, parking, and childcare.

**9. Q: What is the process for bargaining with the union regarding changes to working conditions during this stasis period?**

**A:** Program Directors seeking to make a change that could impact working conditions must notify the GME Office prior to initiating the change. The GME Office will present the proposal for a change in a working condition to the UWHA, which may accept or negotiate adjustments to the proposal. Please communicate directly with Cindy Hamra, Assistant Dean for Operations & Administration, in the GME Office. She will handle all communications with the union.

**10. Q: Is Internal Moonlighting considered a “working condition”?**

**A:** UW has allowed more Internal Moonlighting opportunities since a change in policy was approved in 2013. Because this is considered “business as usual”, individual moonlighting requests are not considered a change in working condition and thus do not require bargaining with the union. Any change in the criteria used to approve or deny a request would require bargaining. The subject of moonlighting is being discussed during bargaining, and the new CBA will address moonlighting. In the meantime, and in the spirit of transparency, the GME Office will communicate these approvals to UWHA.

**11. Q: Once a CBA has been signed, can programs make changes to working conditions?**

**A:** The final CBA will hopefully be flexible enough to allow for program-level adjustments to benefits that have historically been determined at the program level, like educational days off, travel funds and book funds. However, the outcome will depend on the results of the CBA negotiation process between UW and the UWHA.

The GME Office will communicate with the larger community once the CBA has been signed to be sure that everyone understands the new paradigm of the CBA, is instructed on processes, and is clear about the particulars of the contract. We will host town hall sessions so that questions can be answered and all stakeholders will be informed.

**12. Q: May Residents go on strike?**

**A:** No. Washington State law prohibits Residents or other public employees from striking.

**PROGRAM OVERSIGHT****13. Q: As a union, what purview does UWHA have over our GME programs?**

**A:** The scope of union activity is limited to “wages, hours, and working conditions”. The UWHA does not have the right to bargain over curricular or pedagogical issues (e.g., assignment of duties, participation in required conferences/training, development of new required courses/curricular components). Curricular and academic issues remain under the purview of the ACGME and/or the GME Office and Programs. The creation of new rotation sites does not fall under the definition of a “working condition”.

**14. Q: Can programs continue to give their trainees program-specific benefits (e.g., education/interview days off, loans, educational funds, travel funds, books)?**

**A:** Yes. While we are in this period of stasis, programs may continue to provide existing benefits at their current level. However, again, because these are considered “working conditions”, no changes (no increases, decreases, creation, or removal) can be made to these benefits during this time without bargaining with the union.

**15. Q: Can programs provide Residents with dedicated didactic or other time to discuss the UWHA’s concerns?**

**A:** No. Work time, including didactic time, is specifically reserved for work discussion and clinical learning activities. We expect that non-work discussions, including union business and other topics outside of the academic realm, will be reserved for lunches, breaks, or off-duty hours. Didactic time is essential training time and we expect that programs will continue to use such time for educational endeavors.

**16. Q: What role does the UWHA union have in disciplinary actions?**

**A:** Disciplinary actions are generally characterized as either “Academic Remediation” or “Professional Conduct”, and sometimes these issues overlap. In general, the impacts of

unionization on academic issues, curriculum, and the clinical learning environment are relatively minimal; these concerns largely remain the prerogative of the Program Director and Clinical Competency Committee (CCC), with advice from the GME Office. An example might include remediation for a resident performing below the expected level of performance for a trainee in his/her training level. Conversely, disciplinary actions over professional conduct matters will likely involve the UWHA to some degree. Examples of this could include disciplinary actions for instances of unprofessional communications or unapproved absences from assigned duties. The UWHA's role in these proceedings will be defined by the CBA.

**17. Q: What role does the UWHA union have with Resident grievances?**

**A:** The new CBA likely will establish a new grievance procedure available to Residents. The new procedures will likely be used for any disagreements arising under the terms of the bargaining agreement. During this stasis period, the GME Grievance Policy remains in effect. A UWHA representative would likely be involved in any grievance proceedings should they arise.

**18. Q: How do ACGME requirements impact “wages, hours, and working conditions”?**

**A:** The ACGME mandates many minimum requirements regarding wages, hours, and working conditions. The institution and our programs must, and will continue to, maintain compliance with ACGME requirements, regardless of the union status of UW trainees. That stated, the GME Office takes the collective bargaining obligations very seriously and will engage and apprise the UWHA as necessary.

## **INSTITUTIONAL OVERSIGHT**

**19. Q: What will happen to the Residency/Fellowship Position Appointment (RFPA) agreement?**

**A:** For now, the current RFPA will remain in effect until the CBA is finalized. For Residents who are UWHA union members, the RFPA will then be modified to exclude any provisions that overlap with articles in the CBA. The RFPA will remain the appointment agreement between the institution and the individual Resident, while the CBA will be an agreement between the UW and the UWHA. The National Resident Matching Program (NRMP) requires that all Resident applicants receive details of the terms of their appointment. As a best practice, we recommend that programs obtain signed acknowledgement from each medical student applicant who interviews that they have been provided with a copy of the current RFPA and current “stasis period” stipend schedule.

**20. Q: What is the role of the Institutional Resident/Fellow Advisory Committee (IRFAC) moving forward with regard to the RFPA?**

**A:** IRFAC remains advisory to the Graduate Medical Education Committee (GMEC), and therefore will continue to make recommendations on changes to institutional policy that impact residents and fellows. However, UWHA may accept or negotiate adjustments to proposed changes that impact wages, hours or working conditions.

**21. Q: What appointment agreement will Family Medicine, Internal Medicine and Pediatric Chief Residents and Maternal Fetal Medicine Fellows—who hold concurrent faculty appointments—sign now?**

**A:** For these trainees, UW GME will craft a new appointment agreement that is based on the current RFPA, since trainees with a faculty appointment are not part of the collective bargaining unit.

**22. Q: How will this new CBA impact residents and fellows stationed in other states for their entire training program and/or single rotations?**

**A:** Trainees located at other sites are currently subject to the terms of the current RFPA, and will continue to be subject to these terms until a new CBA is negotiated. The new CBA may or may not spell out unique provisions for trainees located at locations outside of Washington State.

## **RESIDENT IMPACT**

**23. Q: What will be the cost of UWHA's union dues?**

**A:** UWHA determines the cost of their dues. Regarding dues, the UWHA Constitution states, "Membership dues will be maintained at the voluntary \$10/year for the first two years. In the academic year 2016-2017, the total amount withdrawn in dues will not exceed 0.3% of the intern's (PGY-1) salary per year."

**24. Q: As UWHA union members, are Residents still eligible to apply for forgiveness of the remaining balance of their Direct Loans through the Public Service Loan Forgiveness (PSLF) Program?**

**A:** While individuals employed by labor unions do not qualify for the PSLF Program, UW Residents remain employees of the University of Washington, regardless of their union status. They are therefore still eligible for the PSLF Program as employees of a government organization, and may apply to this program if they qualify under the program's loan forgiveness requirements.

## **CURRENT STATUS**

**25. Q: Where are we in negotiations with UWHA?**

**A:** Since negotiations between UWHA and UW started in January 2015, we have held 29 bargaining sessions. In those sessions, we worked on a wide range of issues. While we have reached common ground with the UWHA on several issues, many issues remain open, including compensation. The parties continue to meet this fall.

**26. Q: What has been accomplished in bargaining?**

**A:** UW and UWHA have made substantial progress on a number of important issues. For example, some of the proposals include:

- 1) Expanded opportunities for Residents in all programs to moonlight, either internally or externally.
- 2) New extended leave benefit to make it possible for Residents to be paid when on an extended leave for certain qualifying conditions.
- 3) A professional leave benefit that would allow all Residents up to 5 days of paid leave per year to participate in specialty conferences, job interviews, and other professional development opportunities.
- 4) A new grievance procedure that gives Residents enhanced appeal rights and introduces a neutral third party as a final decision-maker on grievances arising under the bargaining agreement.
- 5) New transportation and home call stipends.

**27. Q: Where are the parties on compensation?**

**A:** At this time, the UW and UWHA are discussing a 3% increase in resident/fellow compensation for each of the three years of the CBA. The first increase would be effective during the pay period following contract ratification.

**28. Q: What is the value of Resident training?**

**A:** UW believes that the education and training Residents receive is the most valuable part of a Residency. Part of the value is that the training is precisely what is required for Residents to become specialty and subspecialty physicians ready for independent practice.

The value of Residency training is difficult to articulate in a dollar figure. However, beyond the obvious opportunity to provide patient care while working with some of the best faculty in the world, in a diverse patient population, Residents are afforded the opportunity to take time away from these responsibilities to learn in didactic settings, participate in education conferences, grand rounds, and Morbidity & Mortality conferences. They are able to participate in elective rotations, participating in patient care and non-patient care experiences in their individual areas of interests, often times regionally or nationally. They have access to nationally-recognized simulation centers, library resources, wellness services, support groups, meals and online training opportunities.

**29. Q: What has UW done about Moonlighting?**

**A:** As noted above, UW supports the development of more opportunities for Residents to moonlight at University of Washington Medical Center, Harborview Medical Center, the VA Puget Sound Health Care System, and Seattle Children's Hospital and Seattle Cancer Care Alliance (SCCA). UW has also proposed an external moonlighting article that would provide Residents in all programs the opportunity to moonlight.

**30. Q: Has UW done anything else to ease the financial burden on Residents?**

**A:** Yes. UW has proposed a new Professional Development fund for each Resident, as well as reimbursement for required license fees (e.g. Washington State Medical License) and the USMLE Step III. This fund could be used to reimburse professional fees or other developmental opportunities. Furthermore, UW's proposal would remove the requirement that Residents must take the USMLE by certain milestones in training. We are discussing a home call stipend, a transportation stipend, and reimbursement for professional development.

**31. Q: How has UW responded to UWHA's concerns about parking?**

**A:** The UW has proposed a transportation stipend, as noted above. Additionally, UW recognizes that Residents face unique transportation challenges as a result of their schedules but policies are in place to assist with these challenges, including pay for second-site parking and the Emergency/Safe Ride Home Program. UW has proposed to work with UWHA to identify the parking challenges that remain and to partner in advocating for better parking options for all UW employees, students, and visitors.

**32. Q: How has the UW responded to concerns about childcare?**

**A:** The parties have tentatively agreed on a \$50,000 per year childcare fund to be administered by the GME office, based on parameters set by the UWHA. Additionally, UW has proposed to give the Residents access to any new services or sites that may become available including Nanny Sharing services, emergency sick childcare services, and new on-site, UW-operated childcare centers. UW has also proposed a contribution to waitlist fees to ease the burden they create. Finally, UW has proposed to include UWHA representatives to

advise a childcare work group led by the Director of WorkLife and Childcare Development, on campus-wide solutions to childcare.

## COMING UP

### **33. Q: What should programs tell applicants?**

**A:** Soon, Dr. Joyner will release an updated correspondence to all program directors and program administrators that may be sent directly to recruits who are applying to the UW residency and fellowship programs. Please contact the GME Office for a copy.

### **34. Q: What is the UW GME Office doing now to prepare the GME Community for the new CBA?**

**A.** Over the last 21 months, UW Labor Relations has been updating the highlights of the 30+ negotiations sessions on the UW Labor Relations website. The GME Office is also working with UW Labor Relations to establish multiple forums for instruction, education and discussion once the CBA is finalized. It will be critical for everyone to understand the new policies and financial impacts of the CBA. The GME Office has already started to work with program administrator focus groups to determine some of the areas of a potential contract that might be presented in a more efficient manner. We will continue to consult with various groups to be sure that the transition is seamless.

### **35. Q. What will happen next?**

**A.** The UW looks forward to continuing and concluding negotiations. The UW GME Negotiation Team is committed to ensuring that the ultimate outcome is fair to the Residents and the University.

### **36. Q: Where can I learn more about the UW-UWHA Contract Negotiations?**

**A:** UW Labor Relations provides updates via the [UW Labor Relations](#) website to GME and university constituents regarding the ongoing negotiation of the new UWHA Union contract. Check back often for information about hot topics and other items of interest to trainees and programs.